

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE E. HERNANDEZ-VILLALBA,

Defendant.

4:12CR3069

ORDER

The government has orally moved to continue defendant's change of plea hearing. (Filing No. 18). The parties need additional time to engage in plea discussions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's oral motion to continue, (filing no. 18), is granted.
- 2) The defendant's plea hearing will be held before the undersigned magistrate judge on November 27, 2012 at 10:00 a.m.. The defendant is ordered to appear at this hearing.
- 3) For the reasons stated by counsel, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the date of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

October 11, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge